

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
EASTERN DIVISION

WHITNEY L. HARRIS-CARTER,

Plaintiff,

v.

Case No. 1:25-cv-01029-JDB-jay

MADISON COUNTY JAIL,

Defendant.

ORDER ADOPTING REPORT AND RECOMMENDATION AND DISMISSING CASE

Before the Court is the complaint filed by the Plaintiff, Whitney L. Harris-Carter, proceeding pro se. (Docket Entry “D.E.” 1). By Administrative Order, this matter was referred to the United States magistrate judge for management of all pretrial matters and for determination and/or report and recommendation. Admin. Order 2013-05. At the time Plaintiff filed her lawsuit, she neither paid the \$405 filing fee nor moved to proceed in forma pauperis. On February 6, 2025, Magistrate Judge Jon A. York ordered her to either pay the filing fee of \$405 or move to proceed in forma pauperis within 30 days of the date of the entry of that Order. (D.E. 4.) Plaintiff was warned in that order that failure to either pay the filing fee or to move for pauper status within the 30-day deadline would result in the dismissal of the complaint. (*Id.*) On March 17, 2025, Judge York ordered Harris-Carter to show cause within 14 days of entry of that order why her complaint should not be dismissed for failure to either pay the filing fee or move to proceed in forma pauperis. (D.E. 6.) Plaintiff did not respond to the show cause order.

Judge York has thus recommended that Harris-Carter’s complaint be dismissed for failure to prosecute pursuant to Federal Rule of Civil Procedure 41(b). (D.E. 7.) At the end of the Report

and Recommendation, the Magistrate Judge notified Harris-Carter that, if she disagreed with the recommendation, she was required to file an objection within 14 days. (*Id.*) Judge York added that “failure to file objections within fourteen (14) days may constitute a waiver and/or forfeiture of objections, exceptions, and any further appeal. (*Id.* (emphasis omitted).)

Plaintiff has not objected to the Magistrate Judge’s report and recommendation and the time for doing so has expired. Harris-Carter, consequently, has forfeited her objections to the report and recommendation. *See Berkshire v. Dahl*, 928 F.3d 520, 530 (6th Cir. 2019). Accordingly, upon review of the record, the report and recommendation is ADOPTED and the action is DISMISSED with prejudice.

IT IS SO ORDERED this 23rd day of April 2025.

s/ J. DANIEL BREEN
UNITED STATES DISTRICT JUDGE